

# MEMO ENDORSED

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August 15, 2024

**BY ECF**

The Honorable Lewis A. Kaplan  
United States District Court Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: United States v. Cyron Lee; 23 Cr. 591 (LAK)**

Dear Judge Kaplan:

I represent Cyron Lee in the above-referenced matter, having been appointed pursuant to the provisions of the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006A on June 20, 2024, after replacing prior counsel.

On June 11, 2024, Mr. Lee pled guilty to the indictment, charging him with three narcotics offenses. He faces a 10-year mandatory minimum sentence. Sentencing was scheduled for September 25, 2024. I write to respectfully request a 60-day adjournment of sentencing. The Government has no objection to a 30-day adjournment but does oppose an adjournment beyond 30 days.

Since my appointment, I have worked diligently on Mr. Lee’s case and under difficult circumstances. Upon the commencement of my representation, Mr. Lee was transferred to the Special Housing Unit (“SHU”) at MDC Brooklyn. This was at the request of the Government to investigate allegations against him. At the end of July, he was transferred back to general population, having not been found to have committed any disciplinary infractions. Mr. Lee’s incarceration in the SHU limited my ability to work on his case with him and prepare for sentencing as I was often not permitted to have contact visits and review materials with him. He also suffered psychological distress because of the conditions of his confinement within the SHU.

As indicated, Mr. Lee faces a 10-year mandatory minimum sentence and pursuant to a *Pimentel* letter, dated June 4, 2024, the Government’s calculation of the Sentencing Guidelines Range is 292 to 365 months’ incarceration. Based on the significant prison sentence he is facing, it is vital to identify and develop all mitigating factors and arguments, to, in essence, tell the life story of Cyron Lee, the adversities he experienced, trauma and

loss he repeatedly suffered, and the reasons for his participation in the charged drug offenses. This takes time. And trust needs to be built with Mr. Lee, especially here where I was appointed following an unexpected conflict of interest involving prior assigned counsel and he was immediately placed in the SHU. The Court can be assured that I am working closely with Mr. Lee and am regularly meeting with him.

Finally, the Department of Probation ("Probation") needs additional time to complete their presentence investigation. After I was appointed, the date for the presentence interview needed to be adjusted. It will be completed today. It is my understanding that Probation can have the final presentence report completed by October 8, 2024.

Accordingly, for the foregoing reasons, and based on my other professional and personal responsibilities, I respectfully request that sentencing be adjourned until mid to late November, or another time convenient for the Court. Should the Court grant the instant request, I also respectfully request that the disclosure dates for the pre-sentence report also be adjusted to reflect the new sentencing date.

Thank you for your consideration.

Respectfully submitted,

/s/

Anthony Cecutti, Esq.

Granted in part. Sentencing is adjourned to  
October 24, 2024 at 4 p.m.

8/16/24

**SO ORDERED**  
  
**LEWIS A. KAPLAN, USD**